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10 Attorneys for Plaintiffs,  
11 SONY BMG MUSIC ENTERTAINMENT;  
12 ARISTA RECORDS LLC; INTERSCOPE  
13 RECORDS; BMG MUSIC; UMG RECORDINGS,  
14 INC.; and WARNER BROS. RECORDS INC.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

SONY BMG MUSIC ENTERTAINMENT, a  
Delaware general partnership; ARISTA  
RECORDS LLC, a Delaware limited liability  
company; INTERSCOPE RECORDS, a  
California general partnership; BMG MUSIC, a  
New York general partnership; UMG  
RECORDINGS, INC., a Delaware corporation;  
and WARNER BROS. RECORDS INC., a  
Delaware corporation,

Plaintiffs,

v.

JOHN DOE #8,  
Defendant.

CASE NO. C 07-04854 WDB

The Honorable Wayne D. Brazil

**EX PARTE APPLICATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE  
AND [PROPOSED] ORDER**

1 Plaintiffs respectfully request that the Court continue the case management conference  
2 currently set for January 3, 2008, at 4:00 p.m. to April 3, 2008.

3 Plaintiffs filed the Complaint against Defendant John Doe #8 (“Defendant”) on September  
4 20, 2007. Also on September 20, 2007, Plaintiffs filed their *Ex Parte* Application for Leave to Take  
5 Immediate Discovery seeking the Court’s permission to serve a Rule 45 subpoena on San Francisco  
6 State University (“SFSU”), so that Plaintiffs could obtain information sufficient to identify  
7 Defendant. On September 28, 2007, this Court issued its Order Granting Plaintiffs’ *Ex Parte*  
8 Application for Leave to Take Immediate Discovery authorizing Plaintiffs to serve a Rule 45  
9 subpoena on SFSU. On November 16, 2007, SFSU responded to Plaintiffs’ subpoena, providing  
10 Plaintiffs with identifying information including Defendant’s name, address, and telephone number.

11 Since that time, Plaintiffs and Defendant have been in contact, and have reached a settlement.  
12 The parties are now in the process of finalizing the settlement documents. Plaintiffs will promptly  
13 file dispositional documents with the Court once the settlement is final.

14 Given the foregoing circumstances, a case management conference is unnecessary at this  
15 time. Plaintiffs therefore request that the Court continue the case management conference currently  
16 set for January 3, 2008, at 4:00 p.m. to April 3, 2008.

17 Dated: December 19, 2007

HOLME ROBERTS & OWEN LLP

19 By: /s/ Matthew Franklin Jaksa  
20 MATTHEW FRANKLIN JAKSA  
Attorney for Plaintiffs

## ORDER

Good cause having been shown:

**IT IS ORDERED** that the case management conference currently set for January 3, 2008, at 4:00 p.m. be continued to April 3, 2008.

Dated: 12/20/2007

By:

Honorable Wayne D. Brazil  
United States Magistrate Judge